

REFERENCE TITLE: domestic violence victims; fee exemptions

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1063

Introduced by
Senator Waring

AN ACT

AMENDING SECTIONS 28-3002, 28-3165 AND 36-341, ARIZONA REVISED STATUTES;
RELATING TO DOMESTIC VIOLENCE VICTIMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-3002, Arizona Revised Statutes, is amended to
3 read:
4 28-3002. Fees; driver licenses; exemption; disposition
5 A. The following fees are required:
6 1. For each original or initial application or renewal application, if
7 a written examination is required, for the following:
8 (a) Class A driver license, twenty-five dollars.
9 (b) Class B driver license, twenty-five dollars.
10 (c) Class C driver license, twelve dollars fifty cents.
11 (d) Class D driver license issued pursuant to section 28-3171, ten
12 dollars.
13 (e) Class M driver license issued pursuant to section 28-3171, ten
14 dollars.
15 2. Except as provided in paragraph 1, for each original, renewal or
16 reinstatement application for a class D, G or M license:
17 Age Fee
18 50 or older \$10.00
19 45-49 \$15.00
20 40-44 \$20.00
21 39 or younger \$25.00
22 3. For each original or initial application or renewal examination, if
23 a written application is required, for the following endorsements to a driver
24 license:
25 (a) Bus endorsement, ten dollars.
26 (b) Hazardous materials endorsement, ten dollars.
27 (c) Tank vehicle endorsement, ten dollars.
28 (d) Double-triple trailer endorsement, ten dollars.
29 (e) Motorcycle endorsement, seven dollars.
30 4. For taking each driving test for a:
31 (a) Class A driver license, twenty-five dollars.
32 (b) Class B driver license, twenty-five dollars.
33 (c) Class C driver license, twelve dollars fifty cents.
34 (d) Bus endorsement, five dollars.
35 5. For each application for an instruction permit under:
36 (a) Section 28-3154 or 28-3156, seven dollars.
37 (b) Section 28-3155, three dollars.
38 (c) Section 28-3225, class A, twenty-five dollars.
39 (d) Section 28-3225, class B, twenty-five dollars.
40 (e) Section 28-3225, class C, twelve dollars fifty cents.
41 6. For each renewal application, if a written examination is not
42 required, for a:

- 1 (a) Class A driver license and any endorsement, other than a hazardous
2 materials endorsement, to the license, fifteen dollars.
- 3 (b) Class B driver license and any endorsement, other than a hazardous
4 materials endorsement, to the license, fifteen dollars.
- 5 (c) Class C driver license and any endorsement, other than a hazardous
6 materials endorsement, to the license, ten dollars.
- 7 7. For each application for a duplicate of a driver license, four
8 dollars.
- 9 8. For each application for a duplicate of an instruction permit, two
10 dollars.
- 11 9. In addition to the fees prescribed in paragraph 2 and except as
12 provided in paragraph 11:
- 13 (a) For reinstatement of driving privileges after suspension or
14 disqualification, ten dollars.
- 15 (b) For reinstatement of driving privileges after revocation, twenty
16 dollars.
- 17 10. For each application for an extension by mail of a driver license,
18 five dollars.
- 19 11. In addition to the fees prescribed in paragraph 2, for
20 reinstatement of driving privileges that were suspended or denied pursuant to
21 section 28-1385 after completion of the suspension or revocation, fifty
22 dollars.
- 23 12. For vision screening tests of out-of-state drivers, five dollars.
- 24 13. For class D or M driver license skills tests for out-of-state
25 drivers, fifteen dollars.
- 26 **B. A PERSON WHO IS RECEIVING SERVICES FROM A DOMESTIC VIOLENCE SHELTER**
27 **IS EXEMPT FROM THE FEES PRESCRIBED BY SUBSECTION A, PARAGRAPHS 1, 2, 5, 7, 8**
28 **AND 10 OF THIS SECTION AS THEY PERTAIN TO CLASS D, G OR M DRIVER LICENSES OR**
29 **INSTRUCTION PERMITS.**
- 30 ~~B-~~ C. Except as otherwise provided by statute, the director shall
31 immediately deposit, pursuant to sections 35-146 and 35-147, fees collected
32 under this section in the Arizona highway user revenue fund.
- 33 Sec. 2. Section 28-3165, Arizona Revised Statutes, is amended to read:
34 28-3165. Nonoperating identification license; immunity; rules;
35 emancipated minors
- 36 A. On receipt of an application from a person who does not have a
37 valid driver license issued by this state or whose driving privilege is
38 suspended, the department shall issue a nonoperating identification license
39 that contains a distinguishing number assigned to the licensee, the full
40 legal name, the date of birth, the residence address and a brief description
41 of the licensee and either a facsimile of the signature of the licensee or a
42 space on which the licensee is required to write the licensee's usual
43 signature with pen and ink. A nonoperating identification license that is
44 issued to a person whose driving privilege is suspended shall not be valid
45 for more than one hundred eighty days from the date of issuance.

1 B. On request of an applicant, the department shall allow the
2 applicant to provide on the nonoperating identification license a post office
3 box address that is regularly used by the applicant.

4 C. A person who is issued a license pursuant to this section shall use
5 it only for identification purposes of the licensee. The nonoperating
6 identification license does not grant authority to operate a motor vehicle in
7 this state. The department shall clearly label the nonoperating
8 identification license "for identification only, not for operation of a motor
9 vehicle".

10 D. On issuance of a driver license, the holder of a nonoperating
11 identification license shall surrender the nonoperating identification
12 license to the department and the department shall not refund any fee paid
13 for the issuance of the nonoperating identification license.

14 E. A nonoperating identification license shall contain the photograph
15 of the licensee. The department shall use a process in the issuance of
16 nonoperating identification licenses that prohibits as nearly as possible the
17 ability to superimpose a photograph on the license without ready
18 detection. The department shall process nonoperating identification licenses
19 and photo attachments in color.

20 F. On application, an applicant shall give the department satisfactory
21 proof of the applicant's full legal name, date of birth, sex and residence
22 address and that the applicant's presence in the United States is authorized
23 under federal law. The application shall briefly describe the applicant,
24 state whether the applicant has been licensed, and if so, the type of license
25 issued, when and by what state or country and whether any such license is
26 under suspension, revocation or cancellation. The application shall contain
27 other identifying information required by the department.

28 G. The department may adopt and implement procedures to deny a
29 nonoperating identification license to a person who has been deported. The
30 department may adopt and implement procedures to reinstate a person's
31 privilege to apply for a nonoperating identification license if the person's
32 legal presence status is restored.

33 H. A nonoperating identification license issued by the department is
34 solely for the use and convenience of the applicant for identification
35 purposes.

36 I. The department shall adopt rules and establish fees for issuance of
37 a nonoperating identification license, except that the department shall not
38 require an examination.

39 J. THE FOLLOWING ARE EXEMPT FROM THE FEES ESTABLISHED PURSUANT TO THIS
40 SECTION:

41 1. A person who is sixty-five years of age or older and a person who
42 is a recipient of public monies as a disabled individual under title XVI of
43 the social security act, as amended, ~~are exempt from the fees established~~
44 ~~pursuant to this section.~~

1 2. A PERSON WHO IS RECEIVING SERVICES FROM A DOMESTIC VIOLENCE
2 SHELTER.

3 K. If a person qualifies for a nonoperating identification license and
4 is under the legal drinking age, the department shall issue a license that is
5 marked by color, code or design to immediately distinguish it from a
6 nonoperating identification license issued to a person of legal drinking
7 age. The department shall indicate on the nonoperating identification
8 license issued pursuant to this subsection the year in which the person will
9 attain the legal drinking age.

10 L. If a minor has been emancipated pursuant to title 12, chapter 15,
11 on application and proof of emancipation, the department shall issue a
12 nonoperating identification license that contains the words "emancipated
13 minor".

14 Sec. 3. Section 36-341, Arizona Revised Statutes, is amended to read:
15 36-341. Fees received by state and local registrars

16 A. The state registrar shall establish by rule the fees, if any, to be
17 charged for searches, copies of registered certificates, certified copies of
18 registered certificates, amending registered certificates and correcting
19 certificates that are processed by the department. A local registrar may
20 establish the local registrar's own fees to be charged for searches, copies
21 of registered certificates, certified copies of registered certificates,
22 amending registered certificates and correcting certificates as determined
23 necessary by the local entity.

24 B. In addition to fees collected pursuant to subsection A of this
25 section, the state registrar shall assess an additional one dollar surcharge
26 on fees for all certified copies of registered birth certificates. The state
27 registrar shall deposit, pursuant to sections 35-146 and 35-147, all monies
28 received from the surcharge in the confidential intermediary and fiduciary
29 fund established by section 8-135.

30 C. A PERSON WHO IS RECEIVING SERVICES FROM A DOMESTIC VIOLENCE SHELTER
31 IS EXEMPT FROM FEES AND SURCHARGES PRESCRIBED IN THIS SECTION.

32 ~~D.~~ D. The state registrar shall keep a true and accurate account of
33 all fees collected by the state registrar under this chapter and shall
34 deposit, pursuant to sections 35-146 and 35-147, forty per cent of these
35 monies in the vital records electronic systems fund established by section
36 36-341.01 and the remaining sixty per cent in the state general fund.

37 ~~D.~~ E. A local registrar shall keep a true and accurate account of all
38 fees collected by the local registrar under this chapter and shall deposit
39 them with the county treasurer to be credited to a special registration and
40 statistical revenue account of the health department fund.

41 ~~E.~~ F. In addition to fees collected pursuant to subsection A of this
42 section, the department shall assess an additional one dollar surcharge on
43 fees for all certified copies of registered death certificates. The
44 department shall deposit, pursuant to sections 35-146 and 35-147, monies

1 received from the surcharge in the child fatality review fund established by
2 section 36-3504.
3 ~~F.~~ G. The state and local registrars may exempt an agency as defined
4 in section 41-1001 from any fee required by this section, section 8-135 or
5 section 36-3504.